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October 6, 2005

The Honorable Bernard Zimmerman
United States Magistrate Judge
United States District Court
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Jamaica Travel Service v. Invicta Group, Inc. et. al.
Case No. C 04 5311 BZ (ARB)

Dear Judge Zimmerman,

Pursuant to Rule 4.5(a) of the Local ADR Rules, for the reasons set forth below the parties request the court to approve the continuance of the arbitration currently scheduled for October 19, 2005 to January 19, 2006. The arbitrator has confirmed his availability for the requested date.

1. Defendants' will not be able to prepare for arbitration due to lack of discovery from plaintiffs. The parties agreed to provide their initial disclosures on May 15, 2005 - plaintiffs wholly failed to do so. On August 3, 2005, defendant Invicta Group served upon plaintiff Jamaican Travel Specialists, Inc. a Request for Production of Documents with the date of production set for September 20, 2005, and Special Interrogatories. Despite meet and confer between counsel for the parties, and assurances otherwise, plaintiff has not produced any documents nor any responses to the special interrogatories. The only evidence which defendants have received from plaintiff is plaintiff's initial disclosure which was not served until August 25, 2005 and which defendants consider to be very incomplete. Defendants did not pursue further disclosure pending responses to its discovery requests. As a result defendants will not be able to prepare a defense against plaintiff's claims or to document their counter claims before the scheduled arbitration even if the requested discovery were produced immediately.

Further, defendants believe that a motion to compel plaintiff's compliance with the requested discovery will be necessary and the requested continuance will allow time to do so and sufficient time to analyze the evidence produced and follow up as necessary. If plaintiff does not produce the pending discovery, or produces incomplete discovery by October 17th, defendant will file a motion to compel.

Plaintiff's counsel maintains that plaintiff has tried to provide the requested discovery but

so far has been unable to do so but anticipates that all discovery will be produced by October 17th..

2. Plaintiff and defendants require time for depositions of the principal parties. A significant portion of the evidence in this matter requires explanations of the documentary evidence. This evidence can only be developed through the deposition testimony of the parties after the relevant documents have been produced.

3. The requested continuance will not interfere with the parties ability to prepare for trial on the scheduled trial date. The parties' preparation for arbitration will mirror their preparation for trial. If allowed sufficient time to prepare for the arbitration the parties will then be prepared for trial, if necessary.

For the foregoing reasons the parties respectfully request the court's approval of the continuance of the arbitration to January 19, 2005.

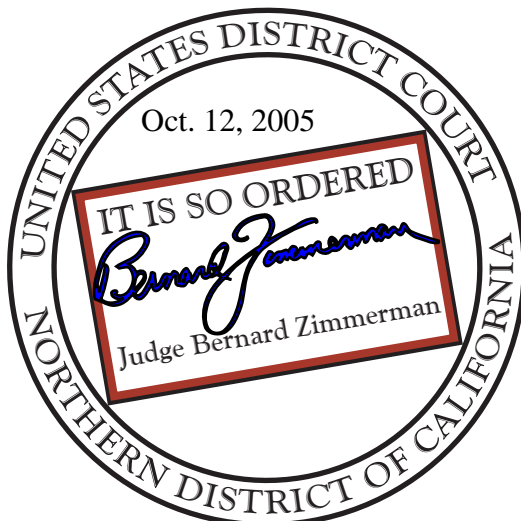
Respectfully,

Joseph E. Powell
Attorney for Defendants

Frank E. Mayo
Attorney for Plaintiffs

Approval of Court

Based upon the reasons set forth above the court approves the continuance of the arbitration in this matter to January 19, 2005.



Bernard Zimmerman
United States Magistrate Judge